

out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease (COVID-19).

**“(b) PAYMENTS.—**

**“(1) MINIMUM AMOUNTS.—**From the amount appropriated under subsection (a)—

**“(A)** the Secretary shall pay \$100,000,000 to each State;

**“(B)** the Secretary shall pay \$100,000,000 of such amount in equal shares to the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau; and

**“(C)** the Secretary shall pay \$100,000,000 of such amount in equal shares to Tribal governments and the State of Hawaii (in addition to the amount paid to the State of Hawaii under subparagraph (A)), of which—

**“(i)** not less than \$50,000 shall be paid to each Tribal government; and

**“(ii)** not less than \$50,000, and not more than \$200,000, shall be paid to the State of Hawaii for the exclusive use of the Department of Hawaiian Home Lands and the Native Hawaiian Education Programs to assist Native Hawaiians in accordance with this section.

**“(2) REMAINING AMOUNTS.—**

**“(A) IN GENERAL.—**From the amount of the appropriation under subsection (a) that remains after the application of paragraph (1), the Secretary shall make payments to States based on population such that—

**“(i)** 50 percent of such amount shall be allocated among the States based on the proportion that the population of each State bears to the population of all States;

**“(ii)** 25 percent of such amount shall be allocated among the States based on the proportion that the number of individuals living in rural areas in each State bears to the number of individuals living in rural areas in all States; and

**“(iii)** 25 percent of such amount shall be allocated among the States based on the proportion that the number of individuals with a household income that is below 150 percent of the poverty line applicable to a family of the size involved in each State bears to the number of such individuals in all States.

**“(B) DATA.—**In determining the allocations to be made to each State under subparagraph (A), the Secretary of the Treasury shall use the most recent data available from the Bureau of the Census.

**“(c) TIMING.—**The Secretary shall establish a process of applying for grants to access funding made available under section (b) not later than 60 days after enactment of this section.

**“(d) DEFINITIONS.—**In this section:

**“(1) SECRETARY.—**The term ‘Secretary’ means the Secretary of the Treasury.

**“(2) STATE.—**The term ‘State’ means each of the 50 States, the District of Columbia, and Puerto Rico.

**“(3) TRIBAL GOVERNMENT.—**The term ‘Tribal government’ has the meaning given such term in section 602(g).

**“SEC. 605. LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND.**

**“(a) APPROPRIATION.—**In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$2,000,000,000 to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2022 and 2023 in accordance with subsection (b), for making payments under this section to eligible revenue sharing counties and eligible Tribal governments.

**“(b) AUTHORITY TO MAKE PAYMENTS.—**

**“(1) PAYMENTS TO ELIGIBLE REVENUE SHARING COUNTIES.—**For each of fiscal years 2022 and 2023, the Secretary shall reserve \$750,000,000 of the total amount appropriated under subsection (a) to allocate and pay to each eligible revenue sharing county in amounts that are determined by the Secretary taking into account economic conditions of each eligible revenue sharing county, using measurements of poverty rates, household income, land values, and unemployment rates as well as other economic indicators, over the 20-year period ending with September 30, 2021.

**“(2) PAYMENTS TO ELIGIBLE TRIBAL GOVERNMENTS.—**For each of fiscal years 2022 and 2023, the Secretary shall reserve \$250,000,000 of the total amount appropriated under subsection (a) to allocate and pay to eligible Tribal governments in amounts that are determined by the Secretary taking into account economic conditions of each eligible Tribe.

**“(c) USE OF PAYMENTS.—**An eligible revenue sharing county or an eligible Tribal government may use funds provided under a payment made under this section for any governmental purpose other than a lobbying activity.

**“(d) REPORTING REQUIREMENT.—**Any eligible revenue sharing county receiving a payment under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of fund by such eligible revenue sharing county and such other information as the Secretary may require for the administration of this section.

**“(e) RECOUPMENT.—**Any eligible revenue sharing county that has failed to submit a report required under subsection (d) or failed to comply with subsection (c), shall be required to repay to the Secretary an amount equal to—

**“(1)** in the case of a failure to comply with subsection(c), the amount of funds used in violation of such subsection; and

**“(2)** in the case of a failure to submit a report required under subsection (d), such amount as the Secretary determines appropriate, but not to exceed 5 percent of the amount paid to the eligible revenue sharing county under this section for all fiscal years.

**“(f) DEFINITIONS.—**In this section:

**“(1) ELIGIBLE REVENUE SHARING COUNTY.—**The term ‘eligible revenue sharing county’ means—

**“(A)** a county, parish, or borough—

**“(i)** that is independent of any other unit of local government; and

**“(ii)** that, as determined by the Secretary, is the principal provider of government services for the area within its jurisdiction; and

**“(iii)** for which, as determined by the Secretary, there is a negative revenue impact due to implementation of a Federal program or changes to such program; and

**“(B)** the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands.

**“(2) ELIGIBLE TRIBAL GOVERNMENT.—**The term ‘eligible Tribal government’ means the recognized governing body of an eligible Tribe.

**“(3) ELIGIBLE TRIBE.—**The term ‘eligible Tribe’ means any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this section pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

**“(4) SECRETARY.—**The term ‘Secretary’ means the Secretary of the Treasury.”

**(b) CONFORMING AMENDMENT.—**The heading for title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended by striking

**“FUND” and inserting “, FISCAL RECOVERY, AND CRITICAL CAPITAL PROJECTS FUNDS”.**

On page 606, strike lines 17 through 22.

On page 606, line 23, strike “(c)” and insert “(b)”.

On page 607, line 21, strike “(d)” and insert “(c)”.

On page 608, line 2, strike “(e)” and insert “(d)”.

On page 608, line 6, strike “(f)” and insert “(e)”.

On page 608, line 14, strike “1866(j), including” and insert “1866(j) (including)”.

On page 608, line 16, strike “period” and insert “period”.

On page 608, strike lines 20 through 22 and insert the following:

**“(iii) is a rural provider or supplier; or**

On page 609, strike line 13 and insert the following:

**“(iii) is a rural provider or supplier.**

On page 609, line 23, strike “training, including” and insert “training (including)”.

On page 609, line 24, strike “both” and insert “both”.

On page 610, strike lines 17 through 22 and insert the following:

**“(5) RURAL PROVIDER OR SUPPLIER.—**The term ‘rural provider or supplier’ means—

**“(A) a—**

**“(i)** provider or supplier located in a rural area (as defined in section 1886(d)(2)(D)); or

**“(ii)** provider treated as located in a rural area pursuant to section 1886(d)(8)(E);

**“(B)** a provider or supplier located in any other area that serves rural patients (as defined by the Secretary), which may include, but is not required to include, a metropolitan statistical area with a population of less than 500,000 (determined based on the most recently available data);

**“(C)** a rural health clinic (as defined in section 1861(aa)(2));

**“(D)** a provider or supplier that furnishes home health, hospice, or long-term services and supports in an individual’s home located in a rural area (as defined in section 1886(d)(2)(D)); or

**“(E)** any other rural provider or supplier (as defined by the Secretary).”

In the table of contents on page 2, insert after the item relating to section 2013 the following:

Sec. 2014. Funding for the Individuals with Disabilities Education Act.

In the table of contents on page 5, insert after the item relating to section 4014 the following:

Sec. 4015. Eligibility for workers’ compensation benefits for Federal employees diagnosed with COVID-19.

In the table of contents on page 7, insert after the item relating to section 9032 the following:

**PART 4—OTHER PROVISIONS**

Sec. 9041. Extension of limitation on excess business losses of noncorporate taxpayers.

Sec. 9042. Suspension of tax on portion of unemployment compensation.

On page 623, lines 19–20, strike “, without competition.”

**PRIVILEGES OF THE FLOOR**

Mr. SANDERS. Mr. President, I ask unanimous consent that the following staff members from my staff and from Senator GRAHAM’s staff be given all-access floor passes for the consideration of the bill:

Majority staff: Michael Jones, Joshua Smith, Michael Lawliss, Melissa Kaplan-Pistiner, and Ari Rabin-Havt.

Republican staff: Nick Myers, Matthew Giroux, Joe Keeley, Becky Cole, and Matthew Rimkunas.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

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#### ORDERS FOR TUESDAY, MARCH 9, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Tuesday, March 9; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session to resume consideration of the Fudge nomination, as provided under the previous order; finally, I ask that the mandatory quorum call with respect to the Regan nomination be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, for the information of Senators, the Senate will not be in session on Monday, March 8. On Tuesday, there will be two rollcall votes at 5:30 p.m. The first vote will be on the motion to invoke cloture on the Fudge nomination to be Secretary of HUD, followed by a cloture vote on the Garland nomination to be Attorney General.

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#### ADJOURNMENT UNTIL TUESDAY, MARCH 9, 2021, at 3 P.M.

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 1:05 p.m., adjourned until Tuesday, March 9, 2021, at 3 p.m.

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#### NOMINATIONS

Executive nominations received by the Senate:

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be general*

GEN. JACQUELINE D. VAN OVOST

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be general*

LT. GEN. LAURA J. RICHARDSON

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be admiral*

ADM. JOHN C. AQUILINO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be admiral*

VICE ADM. SAMUEL J. PAPARO, JR.